

Title 9

PUBLIC PEACE AND WELFARE

Chapters:

- 9.10 Use and Discharge of Firearms**
- 9.15 Alarm Systems**

Chapter 9.10

USE AND DISCHARGE OF FIREARMS

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Article I. No Shooting Zone

9.10.010 Purpose.

(1) Title. The title of this article shall be the Lewis County no shooting zone article.

(2) Purpose. The purpose of this article is to prohibit the use and discharge of firearms within certain geographical areas of Lewis County as designated in LCC 9.10.040 and to organize and consolidate provisions of prior ordinances. [Ord. 1157, 1998; Ord, 1109 Art. I, 1990]

9.10.020 Definitions.

(1) General. As used in this article, unless the context or subject matter clearly requires otherwise, the following words and/or phrases all have the same meanings:

(a) "Firearm" is a weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder.

(b) "No shooting zone" is any geographical area designated within LCC 9.10.040 within which the use, shooting, discharge, or otherwise use of any firearm would be prohibited. [Ord. 1157, 1998; Ord, 1109 Art. II, 1990]

9.10.030 Scope.

(1) Applicability. No person shall fire, shoot, discharge, or otherwise use any

firearm within the boundaries of those no shooting zones designated in LCC 9.10.040.

(2) Exemptions. The provisions of this article shall not apply to the following:

(a) The possession or keeping of firearms within the home of any person residing within, passing through, or sojourning within a no shooting zone.

(b) The use of a firearm for the defense of his person, family, or property, as would otherwise be allowable under the laws of the state of Washington by any person residing within, passing through, or sojourning within a no shooting zone.

(c) The use of a firearm in any herd control use given the express approval of the Washington State Department of Fish and Wildlife.

(d) The use of a firearm by a police officer or by an animal control officer acting in the performance of his duties. [Ord. 1157, 1998; Ord, 1109-A, 1990; Ord. 1109 Art. III, 1990]

9.10.040 Designation of no shooting zones.

The following geographical areas of Lewis County are hereby designated as no shooting zones and are regulated as such by this article:

(1) Packwood Area:

(a) That portion of the SW1/4 NW1/4, Sec. 6, T13N, R10E, W.M., Lewis County, Washington, described as follows: Beginning at the intersection of the thread of Coal Creek and the southerly right-of-way boundary of U.S. Hwy. 12; thence southwesterly along said southerly line 50 ft. to the West line of said Sec. 6; thence S02 30'54" E, 174.29 ft. along said West line; thence N 87°28'59" E, 137 ft. to the thread of Coal Creek; thence northwesterly along said thread of Coal Creek to the point of beginning.

(b) Sec. 1, T13N, R9E, W.M., Lewis County, Washington. Except the S1/2 SE1/4, thereof.

(c) Sec. 2, T13N, R9E, W.M., Lewis County, Washington. Except the NW1/4 thereof. Also except the NW1/4 NE1/4 thereof. Also except the W1/2 NE1/4 NE1/4 thereof. Also except the S1/2 W1/2 NE1/4 NE1/4 thereof.

(d) The S1/2 SE1/4, Sec. 9, T13N, R9E, W.M., Lewis County, Washington.

(e) Sec. 10, T13N, R9E, W.M., Lewis County, Washington. Except the W1/2 NW1/4 thereof. Also except the NW1/4 SW1/4 thereof with the exception of the SW1/4 SW1/4 NW1/4 SW1/4 thereof.

(f) Except those portions of the S1/2 thereof lying southeasterly of the Lake Creek County Road.

(g) Sec. 15, T13N, R9E, W.M., Lewis County, Washington. Except the E1/2 NE1/4 thereof. Also except that portion of the NW1/4 NE1/4 thereof lying easterly of U.S. Hwy. 12.

(h) Sec. 16, T13N, R9E, W.M., Lewis County, Washington. Except the W1/2 thereof. Also except that portion of the NE1/4 thereof lying westerly of the Skate Creek County Road. Also except the SW1/4 SE1/4 thereof.

(i) That portion of the NW1/4 NW1/4, Sec. 12, T13N, R9E, W.M., Lewis County, Washington lying North and East of the southerly right-of-way line of U.S. Hwy. 12.

(j) The SW1/4 SW1/4, Sec. 14, T13N, R9E, W.M., Lewis County, Washington.

(k) Sec. 21, T13N, R9E, W.M., Lewis County, Washington. Except the W1/2 NW1/4 thereof. Also except the SW1/4 thereof. Also except the NW1/4 SE1/4 thereof. Also except that portion of the SW1/4 SE1/4 of said Sec. 21 described as follows: Beginning at the SE corner of said subdivision; thence North 933.43 ft.; thence S 45 W to a point on the South line of said subdivision; thence East 933.43 ft. to the point of beginning.

(l) Sec. 22, T13N, R9E, W.M., Lewis County, Washington. Except the

SE1/4 NE1/4 thereof. Also except that portion of the S1/2 of said Sec. 22 described as follows: Beginning at a point on the North line of the SW1/4 of said Sec. 22 lying 350 ft. East of the NW corner of the NE1/4 SW1/4 of said Sec.; thence South 350 ft.; thence West 150 ft.; thence South 900 ft.; thence East 700 ft. to a point to be known hereafter as Point "A"; thence northeasterly to a point on the North line of the SE1/4 of said section lying 550 ft. West of the NE corner of the NW1/4 SE1/4 of said section; thence East along said North line 550 ft. to said NE corner and the true point of beginning; thence West along said North line 550 ft.; thence southwesterly in a straight line through Point "A" to the North line of the S1/2 S1/2 of Sec. 22; thence West along said North line to the NW corner of the SE1/4 SW1/4 of said Sec. 22; thence southerly along the West line of said SE1/4 SW1/4 to the South line of said Sec. 22; thence easterly along said South line to the SE corner of the SW1/4 SE1/4 of said Sec. 22; thence northerly along the East line of the W1/2 SE1/4 of Sec. 22 to the true point of beginning. Also except that portion of the S1/2, Sec. 22, T13N, R9E, W.M., Lewis County, Washington described as follows: Beginning at a point on the North line of the SW1/4 of said Sec. 22 three hundred fifty feet East of the NW corner of the NE 1/4 of the SW 1/4 of said Sec., thence South three hundred fifty feet, thence West one hundred fifty feet, thence South nine hundred feet, thence East seven hundred feet, thence Northeast to a point on the North line of the SE 1/4 of said section five hundred fifty feet west of the NE corner of the NW ¼ of the SE 1/4 of said Section, thence West to point of beginning.

Four \$1.00 Documentary stamps affixed and endorsed July 19, 1921

(m) The NW1/4 NW1/4, Sec. 23, T13N, R9E, W.M., Lewis County, Washington.

(n) The SE1/4 NW1/4 and the SW1/4 NE1/4, Sec. 28, T13N, R9E, W.M., Lewis County, Washington. AND That portion of the N1/2 N1/2, Sec. 28, T13N, R9E, W.M., Lewis County, Washington, described as follows: Beginning at a point on the North line of said section 485 ft. East of the North quarter corner thereof; thence S 54 08' W, 1,228 ft.; thence South 594 ft. to the South line of the N1/2 N1/2 of said Sec. 28; thence easterly along said South line to the SE corner of the NW1/4 NE1/4 of said Section; thence northerly along the easterly line of said NW1/4 NE1/4 to the southeasterly right-of-way line of U.S. Hwy. 12; thence northeasterly along said right-of-way line to the North line of said Sec. 28; thence westerly along said North line to the point of beginning.

(2) Hidden Valley Subdivisions Area:

(a) The subdivision plat of "Hidden Valley" within the SE1/4 NW1/4, Sec. 32, T15N, R7E, W.M., Lewis County, Washington, as recorded 07/08/63 under Auditor's File No. 653023 in Vol. 5 of Plats, Pg. 59.

(b) The "2nd Hidden Valley" subdivision plat located within the SW1/4 NW1/4, Sec. 32, T15N, R7E, W.M., Lewis County, Washington, as recorded 02/17/64 under Auditor's File No. 661067 in Vol. 5 of Plats, Pg. 76.

(3) Paradise Estates Subdivisions Area:

(a) The subdivision plat of "Paradise Estates" within Sec. 36, T15N, R6E, W.M., Lewis County, Washington, as recorded 10/19/64 under Auditor's File No. 670812 in Vol. 5 of Plats, Pg. 81-82.

(b) The subdivision plat of "Paradise Estates #2" within Sec. 36, T15N, R6E, W.M., Lewis County,

Washington, as recorded 07/08/65 under Auditor's File No. 681832 in Vol. 5 of Plats, Pg. 87-90.

(c) The subdivision plat of "Paradise Estates #3" within Sec. 36, T15N, R6E, W.M., Lewis County, Washington, as recorded 11/04/66 under Auditor's File No. 702908 in Vol. 5 of Plats, Pg. 109-111.

(4) Onalaska Area:

(a) The W1/2SW1/4, Sec. 29, T13N, R1E, W.M., Lewis County, Washington.

(b) That portion of the W1/2NW1/4, Sec. 29, T13N, R1E, W.M., Lewis County, Washington, lying southerly of the northerly line of 7th Street within the plat of the Carlisle Addition extended eastward across said W1/2NW1/4.

(c) The south 400 feet of the SE1/4SW1/4, Sec. 29, T13N, R1E, W.M., Lewis County, Washington.

(d) That portion of the NE1/4, Sec. 30, T13N, R1E, W.M., Lewis County, Washington, lying southerly of the northerly line of 7th Street within the plat of the Carlisle Addition and the extension of said northerly line westward to the west line of said NE1/4.

(e) That portion of the E1/2SW1/4, Sec. 30, T13N, R1E, W.M., Lewis County, Washington, lying within 600 feet of the ordinary high water mark of Carlisle Lake.

(f) The SE1/4, Sec. 30, T13N, R1E, W.M., Lewis County, Washington.

(g) That portion of the NE1/4, Sec. 31, T13N, R1E, W.M., Lewis County, Washington, lying northerly of State Highway 508.

(h) That portion of the N1/2NW1/4, Sec. 32, T13N, R1E, W.M., Lewis County, Washington, lying northerly of the northerly right-of-way line of the abandoned Cowlitz, Chehalis, and Cascade Railroad.

(5) Centralia - Eckerson Road Area:

That portion of the NE1/4, Sec. 6, T14N, R2W, W.M., Lewis County, Washington, lying northerly of the corporate limits of the city of Centralia, westerly of the Chehalis Western Railroad right-of-way, and easterly of Interstate Highway No. 5.

(6) Lake May field Village Area:

(a) The N1/2 of the SW1/4 of Sec. 28, T12 N, R2 E, W.M.

(b) All that part of the NW1/4 of Said Sec. 28 lying Southerly of the old Cowlitz Chehalis and Cascade Railroad right of way, as described in Vol. 187 of Deeds, Pg.s 434 to 437, Records of Lewis County Auditor. Included in the said NW1/4 are the plats of Lake Mayfield Village recorded in Vol. 5 of Plats, Pg. 96, and Lake Mayfield Heights recorded in Vol. 6 of Plats, Pg. 23, records of Lewis County Auditor.

(c) The plat of Lake Mayfield Village No. 2 recorded Vol. 5 of Plats, Pg. 112, records of Lewis County Auditor.

[Ord. 1109D, 2001; Ord. 1157, 1998; Ord. 1109-C, 1991; Ord. 1109-B, 1991; Ord. 1109-A, 1990; Ord. 1109 Art. IV, 1990]

9.10.050 Notice.

The Lewis County Department of Public Services shall, as soon as possible following the effective date hereof, but in any event, not more than 30 days thereafter, erect signs upon all county roads approaching or entering said no shooting zones.

The signs shall be of a size and character to be readily visible and readable, declaring such area to be a "No Shooting Zone" and briefly setting forth the penalty for violation. [Ord. 1157, 1998; Ord. 1109 Art. V, 1990]

9.10.060 Violation - Penalty.

Any person violating any provision hereof shall be subject to the penalties in LCC 1.20.020 and LCC 1.20.040. [Ord. 1180 §12, 2002; Ord. 1157, 1998; Ord. 1109 Art. VI, 1990]

Chapter 9.15

ALARM SYSTEMS

Sections:

- 9.15.010 Definitions.
- 9.15.020 Application of chapter provisions.
- 9.15.030 Indemnity agreement.
- 9.15.040 Police alarms - Testing, monitoring.
- 9.15.050 Prohibited equipment.
- 9.15.060 Installation standards.
- 9.15.070 Installer's identification card.
- 9.15.080 Discontinuing police responses to alarm(s).
- 9.15.090 Excessive false alarms.
- 9.15.100 Appeal of Eligibility, False Alarm Charges, Disconnection or Discontinuance of Service
- 9.15.110 Violations - Penalty.

9.15.010 Definitions.

(1) "Alarm system" means any system, device or mechanism which, when activated, transmits to a monitoring service center, either electronically or by voice, a message for the purpose of evoking a police response.

(2) "Burglary alarm" means a system designed or used for the detection and reporting of unauthorized entry upon real property.

(3) "Sheriff" means the elected position of Lewis County sheriff or his designee.

(4) "False alarm" shall mean the activation of said alarm by means other than for which the alarm is intended including, but not limited to, alarm malfunctions, power failure and employee or subscriber error.

(5) "Robbery alarm" means a system designed or used to alert others of a robbery. See RCW 9A.56.190. [Ord. 1157, 1998; Ord. 1111 § 1, 1990]

9.15.020 Application of chapter provisions.

This chapter shall apply only to alarm systems or equipment designed to be monitored so as to convey to a monitoring service center, either electronically or by voice, a message for the purpose of evoking a police response. None of the provisions of this chapter shall apply to the installation or maintenance of alarms which are not so monitored. [Ord. 1157, 1998; Ord. 1111 § 2, 1990]

9.15.030 Indemnity agreement.

Any person, firm, or corporation desiring to originate an alarm system to evoke a police response within the county shall first sign an indemnity agreement holding the county harmless from any liability involving the failure of any agency alarm, circuit or equipment or the discontinuance of emergency response actions ordered because of such failure. [Ord. 1157, 1998; Ord. 1111 § 3, 1990]

9.15.040 Police alarms - Testing, monitoring.

(1) Alarm testing shall be the responsibility of the subscriber and/or the alarm company. No alarm verification will be conducted by the Lewis County sheriff's office.

(2) Alarm subscribers shall provide to their alarm monitoring service a notice of telephone numbers at which persons authorized to enter the premises of the subscriber can be reached at all times so that one of said persons is able to respond to the premises within 30 minutes after being notified by police to do so. If the subscriber fails to respond to location upon request by shift supervisor, further police responses shall be terminated.

(3) Alarms shall not be activated to summon police for any purpose other than burglar alarms for burglaries; robbery

alarms for robberies. [Ord. 1157, 1998; Ord. 1111-A, 1990; Ord. 1111 § 4, 1990]

9.15.050 Prohibited equipment.

(1) Proprietary alarm equipment designed to alert any county emergency service by providing unattended automatic dialing of any public telephone number of any county emergency service for the purpose of transmitting a prerecorded message is prohibited.

(2) Combination alarms designed to alert any county emergency service will not be allowed within the county unless there is a distinct separation in the transmittal of any specific alarm activation. For purposes of this section, combination alarms shall include but not be limited to devices combining burglary and fire alarms, devices combining burglary and holdup alarms, and devices combining burglary and trouble alarms. [Ord. 1157, 1998; Ord. 1111 § 5, 1990]

9.15.060 Installation standards.

All monitored alarm systems to summon police shall be installed in accordance with the ordinances and building codes of Lewis County and of the state of Washington. [Ord. 1157, 1998; Ord. 1111 § 6, 1990]

9.15.070 Installer's identification card.

(1) An installer's identification card is not required when a residential installation is being performed by the owner who is also the occupier of the residence protected by the alarm system.

(2) No persons, except as set forth in subsection (1) above, shall install, service or maintain any police alarm systems within the county without first obtaining an identification card from the sheriff of Lewis County, or with the sheriff's approval from any other police agency within Lewis County which has, prior to the issuance of the identification card, conducted a criminal

history check of the person. An initial identification card fee will be assessed upon application. A fee of \$25.00 made payable to the Lewis County sheriff's office and an additional check or money order made payable to the Bureau of Criminal Identification, BCI, to cover background investigation through fingerprint processing. The card will be valid for five years from the date of issue. A change of employer shall invalidate the installer's identification card.

(3) Renewal of the identification card may be made through application and payment of \$25.00 to the sheriff's office and payment of the current BCI processing fee, and approval of the sheriff's office. Applicants. If a criminal history check reveals that an applicant has been convicted of any felony within the past ten (10) years involving theft, dishonesty or moral turpitude, such applicant shall be considered ineligible for issuance of an identification card, as in the best interests of the public safety and welfare, and protection of private and public property. [Ord. 1157, 1998; Ord. 1111 § 7, 1990]

9.15.080 Discontinuing police responses to alarm(s).

(1) The sheriff may discontinue police response to any alarm location:

(a) Where the alarm system has resulted in more than six false alarm responses by the department within a continuous 90-day period; or

(b) Upon failure of the alarm subscriber to pay a penalty charge, as set forth in this chapter within 60 days of billing.

(2) The sheriff shall notify such subscriber in writing by personal service or a form of mail requiring a signed receipt showing when and to whom it was delivered of the specific date in which police responses will be discontinued. The date

being no sooner than 10 days after the notice is deposited in the mail.

(3) The subscriber may within 10 days of the first attempt at delivery of the mail appeal the decision to the sheriff if he/she feels that the action is being improperly assessed. A decision by the sheriff or his/her designee on the appeal shall be final. [Ord. 1157, 1998; Ord. 1111 § 8, 1990]

9.15.090 Excessive false alarms.

(1) Service charges for false alarms from any one location shall be assessed as follows:

(a) For the first two false alarms within any continuous 90-day period, no charge will be assessed;

(b) For the third false alarm within a continuous 90-day period, a charge of \$50.00 will be assessed;

(c) For the fourth false alarm within a continuous 90-day period, a charge of \$75.00 will be assessed;

(d) For the fifth false alarm and every false alarm thereafter within a continuous 90-day period, a charge of \$150.00 per false alarm will be assessed.

(e) For false alarms from any one location which exceed five false alarms within a continuous 90-day period OR for any non-payment of any false alarm charges within sixty (60) days of billing, the sheriff may 1) order the disconnection of such alarm, and 2) seek abatement and injunction of further operation of any such alarm as a public nuisance, until necessary corrective action has been taken and/or any outstanding charges have been paid; provided that no disconnection shall be ordered as to any premises required by law to have an alarm system in operation.

(2) If the sheriff determines that a new system has been installed or adequate repairs have been made to an existing alarm system, a new continuous 90-day period, for purposes of this section, shall commence.

The subscriber shall be responsible to provide documentation of corrective action.

(3) Any false alarm involving a patrol response from the sheriff's office will be considered a billable alarm. If a question arises as to the validity of an alarm, the final determination for purposes of charges or disconnection, or discontinuance of service will be made by the sheriff or his designee. False alarm penalties referred to in this section will be billed directly by the county to the alarm customer involved in the false alarm. [Ord. 1157, 1998; Ord. 1111 § 9, 1990]

9.15.100 Appeal of Eligibility, False Alarm Charges, Disconnection or Discontinuance of Service.

Any person, firm, or corporation found ineligible for an installer's identification card, or assessed a false alarm charge, ordered to disconnect such alarm or discontinuance of service by the Sheriff has a right to an appeal to contest the finding of ineligibility, or the charge, disconnection or discontinuance of service.

(1) The appeal shall be directed to and reviewed by the Lewis County Sheriff.

(2) At the conclusion of the review, the Sheriff shall determine whether the finding of ineligibility, or the imposition of the charge, disconnection or discontinuance of service was proper.

(3) If the finding of ineligibility, or the charge, disconnection or discontinuance of service is found proper, then any such charge, if applicable, together with costs and the expenses of the hearing shall be assessed against the person, firm, or corporation. If the finding of ineligibility, or the charge, disconnection or discontinuance of service is not found to be proper, then the person, firm, or corporation shall bear no costs. The finding of the Sheriff shall be final.

(4) Nothing in this chapter shall be construed to prevent the Sheriff from

exercising discretion in assessing penalties, costs or arranging time payments if justice so requires. [Ord. 1157, 1998]

9.15.110 Violation - Penalty.

Any person, firm, or corporation violating any of the provisions of this code shall be subject to the monetary penalties in LCC 1.20.020 and LCC 1.20.040. [Ord. 1180 §13, 2002; Ord. 1157, 1998; Ord. 1111 § 10, 1990]